

# Handbook for Massachusetts Municipal Planning Boards



By

William G. O'Hare, Jr.

**BUREAU OF GOVERNMENT RESEARCH**

University of Massachusetts

Amherst



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**HANDBOOK**  
**for**  
**Massachusetts**  
**Municipal Planning Boards**

WILLIAM G. O'HARE, JR.

**Bureau of**  
**Government Research**

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## BUREAU OF GOVERNMENT RESEARCH

The Bureau of Government Research is a research, training and service organization within the University of Massachusetts. It was established in January, 1956.

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### STAFF

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GERALD J. GRADY, *Assistant Director*

EDWIN A. GERE, JR., *Training Officer*

EDWARD T. DOWLING, *Research Assistant*

HAZEL M. TILTON, *Administrative Secretary*

CAROLE A. PEETZ, *Secretary*

# Foreword

This handbook has been prepared for the guidance of municipal planning board members, for local planning study groups, and for those citizens who are interested in the planning problems of the era.

With the cost of government rapidly rising, with population pressures mounting, with the wearing out of old facilities and a surging demand for replacements and additional units, with the unanticipated increase in the use of the automobile, with the expansion of municipally-owned and privately-owned public utilities, with the ever present need for economic development, and with creeping obsolescence demanding redevelopment and renewal, municipal planning has become essential. The city or town that neglects planning in the face of these factors shall surely die as it undertakes hit or miss solutions to stem the engulfing tidal wave of things undone. An undulating program such as this will no more succeed than a man could fly with the wings of a robin. Sustained action offers the sole means for keeping a city or town in step with the changing needs and times; few can afford to adopt the luxurious errors that "the future will take care of itself," and that municipal planning is "sheer nonsense." Thoughts like these will hasten municipal stagnation—even death—and will cause exorbitant and hurtful expenditures at a later day that may still fail to accomplish proper objectives.

Each of the 351 cities and towns in the Commonwealth possesses a unique "personality," consequently there is no one planning program that would fit the needs of all. Each, by necessity, will have to prepare its own plan and gear it to the needs and pocketbook of the community. Cooperative ventures on the part of two or more municipalities offer excellent possibilities for the achievement of regional objectives that may be insurmountable problems for the communities separately. The regional approach is as sound as teamwork in athletics.

Planning, and its companion, zoning, must necessarily be conducted within the framework of law, the state statutes and the municipal ordinances or by-laws; on this account planners should become thoroughly familiar with the legal stipulations that govern their actions and seek the full assistance of their city solicitor or town counsel.

Furthermore, as meaningful planning affects every phase of local government and touches upon a most honored right, private property, planners must not only win the full cooperation of all municipal agencies, but also that of the general public, if they are to succeed in their endeavours. Education is within their scope of activity.

The Bureau of Government Research expresses its gratitude to the following for permission to quote from their publications: Boston University Law School; Greater Boston Economic Study Committee; Massachusetts Bar Association; Bureau of Urban Research of Princeton University; Public Administration Service; American Society of Planning Officials; Council of State Governments; David A. Grossman and Melvin R. Levin of Blair Associates; and the AFL-CIO. The sustained interest of Stuart DeBard, Esquire, and Ruth McHugh of the Massachusetts Federation of Planning Boards is acknowledged, as is the advice of Louis

H. Smith, Planning Division, Massachusetts Department of Commerce. Special thanks go to Mrs. Hazel M. Tilton and Mrs. Carole A. Peetz who interpreted the writer's hieroglyphics to prepare this manuscript for publication.

Amherst, Massachusetts  
October, 1959

WILLIAM G. O'HARE, JR.  
*Director*

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# Chapter I

## ORIGIN AND CONTENT OF PLANNING

The rapid urbanization of the United States in the past six decades has been a considerable phenomenon. The impact of the related population growth on our municipalities has complicated local government far beyond the most imaginative thinking of 1900.

The causes of these extraordinary changes deserve considerable study, as they embrace nearly every facet of day-to-day living. Social, political, economic, aesthetic, and cultural factors, with their myriad shadings and colorations, underlie this concentration of people in urban regions of the nation and Massachusetts. These same factors make city and town planning essential if chaos, inefficiency, and extravagance are to be avoided.

In area, Massachusetts is a comparatively small state with its 8,093 square miles; however, its population is now nearing the 5,000,000 mark. These aspects indicate a density rate close to 600 persons per square mile, a rather adequate indication of the urban nature of the Commonwealth. The 39 cities have a combined population approaching 3,000,000 persons, while the 312 towns have approximately 2,000,000 persons.

These statistics offer no portrait of the Massachusetts scene for ten of the aforementioned cities (Boston, Brockton, Fall River, Lawrence, Lowell, New Bedford, Pittsfield, Springfield-Holyoke, and Worcester) serve as the cores of as many standard metropolitan areas, and a significant portion of the southeastern quadrant of the state comes under the influence of Providence, Rhode Island. Presently well over 3,800,000 persons reside within the borders of these metropolitan areas giving further evidence of the urbanity of Massachusetts.

With the exodus of people from the core cities to their peripheral communities seemingly unabated, and, with the continued migration of people from the more remote regions to these same cities and towns, the problems of local government can but become more complex. Even though the next federal census (1960) may indicate a population growth rate for Massachusetts less than the national average, there is every indication that the satellite cities and towns will show significant increases in population while the core cities either remain stable or show some population loss. The projected rates of population increase for the 1950-1970 period indicate a 17.5% increase for Massachusetts, a 20.9% increase for New England, and a 35.2% increase for the nation.<sup>1</sup>

No end is in sight to suburban development as the popular desire for "greenery and open space" is no passing wonder, and this desire is being whetted further by the development of industrial parks that offer employment outside the core city and the construction of express highways to facilitate comfortable travel from home to job.

These factors lead naturally to the recognition of the metropolitan problem which:

. . . has become more acute in a setting of continuing growth of metropolitan areas in number, population, territorial size and governmental

complexity. Although its magnitude and aggravation are generally greatest in the most populous or the medium-sized areas, the problem exists in virtually all metropolitan situations. The persistence of the metropolitan trend indicates that the less populous metropolitan areas, and even embryonic ones, may need to make changes soon to avoid comparable conditions.

The basis of the problem is the absence of general local governmental organizations broad enough to cope with metropolitan matters. There is a lack of area-wide governmental jurisdictions that can effectively provide and finance services, that can plan and regulate and that are constructed to facilitate adequate accountability to the metropolitan public for their actions. The metropolitan problem thus is in fact a series of major problems!<sup>2</sup>

This, of course, does not mean that the only solution to these extraordinary problems rests in the creation of a Gargantuan megalopolis with the consequent destruction of the autonomous cities and towns within its ordained boundaries. Rather, it points up the imperative need for cooperative action in the planning field if the problems engendered by population pressures are to be unriddled. Independent planning may be an ill-afforded luxury in the face of the area or regional difficulties that exist. Municipal boundaries are not impenetrable walls isolating one community from another as was true in ancient Greece and medieval Europe. The current era is marked by mobility and change.

Men are both rational and social animals; hence by their nature they are highly dependent upon one another to achieve the fullness of life. Cooperation is therefore inevitable, and the greater extent to which this is developed the more closely will we come to the solution of governmental problems of which planning is not the least. "We have been in America for 300 years. It is high time we acted as though we expected to be here 300 years more."

Municipal planning may be given various definitions, but there is accord that it must necessarily anticipate the future needs of the community so that its physical development will be orderly and economical while providing a healthful, convenient, and aesthetic environment for working and living. Planning is receiving more emphasis presently than in the past; yet in a rudimentary form it existed in the cities of Greece, the Roman empire, and in Babylon; albeit the urban centers of Europe born in the Middle Ages demonstrate the existence of infantile planning. The boroughs of early England did not develop haphazardly at major crossroads and about the walls of monasteries, for sketches and paintings made in that age clearly indicate that some ordering or planning affected their layout, and early laws stipulated the locations for trades and businesses within these municipalities.

From an early date the town has been the basic unit of local government in Massachusetts, and, while many are free to avail themselves of an 1821 amendment to the state constitution and seek charters as cities, few have chosen to do so in late years. The town is a municipal corporation with a unique governmental structure centering about the town meeting, which dates from 1632, and a multiplicity of elected and appointed officers.

While some self-government was soon established in the towns, there was no approach to what is now called "home rule," as the General Court from earliest date exercised considerable surveillance over the

localities. Indeed, to the present, it is the prerogative of the Massachusetts legislature to control city and town affairs by general and special acts. Local officers, and this includes planning boards, must, therefore, give considerable attention to the statutes governing their realm of activity.

Further and exacting supervision was exercised by the Court of General Sessions of the Peace, or the Sessions Court as it was commonly called, until 1820. Indeed their powers were so extensive that Elijah Adlow has recently pointed out that "the notion that the early Massachusetts town was a model democratic society is a pure myth. The town meetings could argue and vote and decide, but the judges of the Sessions Courts had the last word. Until 1820 Massachusetts towns were in the control of these juristocrats, and it was only with their passing that town government became the sole responsibility of the people."<sup>3</sup>

To revert, planning was unknown in colonial Massachusetts even though a primitive form of zoning aimed at fire prevention and mutual protection from marauding Indians was utilized to some extent after 1692. Early legislation allowed the selectmen to determine the location of certain obnoxious businesses and to control common nuisances. Zoning, of course, is an inextricable element of planning, and has enjoyed a relatively long history in the state.

The first comprehensive zoning enabling act was passed by the General Court nearly 90 years ago (1872), while planning legislation, as such, dates from 1936, although Chapter 191, Acts of 1907, permitting the establishment of boards of survey, granted these boards some planning responsibility particularly in the opening of private ways.

The early zoning law was amended extensively over the years and considerable doubt arose as to the constitutionality of use-zoning; thereupon the constitutional convention of 1917-1919 submitted an amendment for popular ratification in 1918 reading that "The General Court shall have the power to limit buildings according to their use or construction to specified districts of cities and towns."<sup>4</sup> This was accepted by the people, and in 1920 the General Court passed "An Act to Authorize Cities and Towns to Limit Buildings According to Their Use or Construction to Specified Districts";<sup>5</sup> with amendments, it is now Chapter 40A of the General Laws. The constitutionality of the amendment and the statute were affirmed by the Supreme Judicial Court.

As indicated above, some very real planning was done before 1936, for Boston was planning its recreational areas as early as 1890, and this function was continued by the Metropolitan Parks Commission (1893), and by its successor, the Metropolitan District Commission (1919). Some sections of Boston were planned as early as 1805 as will be shown later.

It is generally conceded that Pierre L'Enfant was responsible for the earliest significant city planning in the United States with his layout for the District of Columbia by appointment of George Washington. Actually L'Enfant's plan was the forerunner of the "city beautiful" approach to municipal planning traceable to the Chicago World's Fair of 1893. This concept was advanced by the social reformers of the era, Jacob Riis of New York particularly, who aroused citizen interest in

planning as the means for destruction of the festering slum areas.

The aesthetic, or architectural, approach was given considerable credence by the activities of Daniel H. Burnham who drew up comprehensive plans for San Francisco (1905) and Chicago (1909). In fairness to Burnham, it should be noted that his Chicago plan included transportation, rapid transit, streets, slum control, parks, and subdivision regulations; it also acknowledged the reality of suburban growth. Chicago's lakeshore offers ample proof of Burnham's foresightedness. A similar approach is to be observed in the development of Boston's Charles River Basin under the Metropolitan District Commission.

This movement for city beautification gathered some popular support and used the term "city planning" for its activities before the 1909 Washington conference on city planning arranged by the New York Committee on Congestion of Population. The two groups were far apart, for the city beautiful supporters were concerned with architecture while the latter group, under the influence of Riis and others, was attentive to the social consequences of planning. To some extent at least, Burnham's Chicago plan synthesized their opposing views.

In Massachusetts, as in other regions of the nation, the era between the two world wars was marked chiefly by an interest in zoning and its ramifications rather than city planning. Since the end of World War II, however, there has been a tremendous upsurge of interest in planning stimulated by industrial expansion and population growth and mobility. Perhaps this is best evidenced by the fact that 274 of the cities and towns of Massachusetts have planning agencies, and these same municipalities account for approximately 98 per cent of the state's population.<sup>6</sup>

While in the past planning failed to achieve the heights of success for a variety of reasons, we do find that it is now recognized as a proper function of government. However, the road is still perilous, for planning objectives must be democratically achieved, and the planning agency cannot afford to close its eyes and ears to the fundamental role of the people.

In other words, what the people want and think with respect to their community must be known before there can be a plan. Unless the plan rests squarely on a confirming public opinion it is useless. Guesswork and dreams seldom reflect public opinion, and, more often than not, they ignore citizen attitudes entirely. It naturally follows that planning officials need to study the opinions and reactions of those for whom they are planning; otherwise public suspicion of the agency's labors will be induced. Meaningful accomplishment will stem only from participation of the public generally in the planning process. It has been well said that "planning should truly reflect what people in a democracy would like to do and what they need to do."<sup>7</sup>

Planning board members have the responsibility of assisting in the crystallization of public opinion; otherwise planning will remain an "idea" rather than become a going operation. The agency has the role to develop public understanding of planning, and this need be done energetically if success is to be achieved. There is no single way to gain this objective although the centralizing theme is education of the people as to the meaning and objectives of city planning. Public hear-

ings, use of the daily and weekly press, publication of simple brochures, and conferences with municipal department heads are a few methods, but in the last analysis much will depend on the initiative and ingenuity of the planning officials. Keep in mind that "planning with the American populace is more important than planning for them."<sup>8</sup>

As mentioned heretofore, planning board members in Massachusetts communities must familiarize themselves with the governing statutes, for the law on planning and zoning is extensive and intricate. This implies that the advice and tutelage of the municipality's legal officer is indispensable.

The greater number of planning boards have been established on the basis of the statutory provisions:

Any city except Boston, and, except as hereinafter provided, any town may at any time establish a planning board hereunder. Every town not having any planning board shall, upon attaining a population of ten thousand, so establish a planning board under this section. A planning board established hereunder shall consist of not less than five nor more than nine members. Such members shall in cities be appointed by the mayor, subject to confirmation by the city council and in towns be elected at the annual town meeting; provided that a town which has a planning board established under section seventy, may, at an annual town meeting or at a special town meeting called for the purpose, vote to establish a planning board under this section and may provide that members of the planning board then in office shall serve as members of the planning board under this section until the next annual town meeting or be appointed in such manner as an annual town meeting may determine. When a planning board is first established or when the terms of members of the planning board established under section seventy serving as members of the planning board under this section expire, as the case may be, the members of the planning board under this section shall be elected or appointed for terms of such length and so arranged that the term of at least one member shall expire each year; and their board then in office shall serve as members of the planning board under this section until the next annual town meeting or be appointed in such manner as an annual town meeting may determine. When a planning board is first established or when the terms of members of the planning board established under section seventy serving as members of the planning board under this section expire, as the case may be, the members of the planning board under this section shall be elected or appointed for terms of such length and so arranged that the term of at least one member shall expire each year; and their successors shall be elected or appointed for terms of five years each. Any member of a board so established in a city may be removed for cause, after a public hearing, by the mayor with the approval of the city council. A vacancy caused otherwise than by expiration of term shall be filled for the unexpired term, in a city, in the same manner as an original appointment, and, in a town, as provided in section eleven [selectmen may appoint]. Such a board shall elect annually a chairman and a clerk from among its own number, and may employ experts and clerical and other assistants. It may appoint a custodian of its plan and records, who may be the city engineer or town clerk.

Towns of less than ten thousand inhabitants, having no planning board established under this section may, by a vote of the town meeting, authorize the board of selectmen to act as a planning board under this section until such a board is established; provided that any such towns, upon attaining a population of ten thousand, shall establish a planning board hereunder.<sup>9</sup>

The foregoing section, with amendments, dates from 1936, and has

superseded General Laws, c. 41, s. 70, although the boards of 23 localities continue to be based on the latter provision, and those of Newton and Waltham owe their existence to special legislation.

The duties of planning boards are spelled out rather broadly in the law as is their responsibility for preparing and amending the official or master plan for their respective communities.<sup>10</sup> At a later point these duties and the extensive Subdivision Control Law,<sup>11</sup> which is also the responsibility of a substantial group of planning boards, will be discussed more fully, as will mapping, base studies, economic development, urban renewal, subdivision control, capital budgeting, zoning, and regional planning.

Urban planning is the key to the development of a desirable community for living and working. There is nothing exotic about it; phantasy has no place in it. Indeed, planning is as necessary for a city or town as it is for the individual family unit. While some personal expenditures may be characterized by "impulsive buying" such hit or miss procedure is indefensible for a governmental unit.

Many persons have conceived planning as a proper subject for idealistic philosophy. The utopianism of More, Owen, and Fourier, not to mention the Oneida, New York and New Harmony, Indiana experiments, plus the conditioned earthly paradise envisioned by Plato undoubtedly influenced this thinking. Actually, planning is a highly realistic approach to the solution of problems, and to the attainment of a municipality's maximum potential development.

However, as it was implied above, planning cannot be conducted in a vacuum, for, by its nature, it affects the life, liberty, and property of the inhabitants of the community. Planning, and even more particularly zoning, is an extension of the state's police power to local affairs, limited by the state and federal constitutions, and by statutory requirements. In short, the state's police power—an inherent power—is its authority to take the necessary steps for the preservation of the public health, safety, morals, and welfare.

Planning is a continuous and complex function of government; consequently, it ought to be borne in mind that:

Communities that are well planned and solidly built will give every man and woman greater safety, more pleasure, and the opportunity to get the most out of life. Orderly planning will constantly guide new expenditures and gradually eliminate inefficient, uneconomical, or undesirable public works and buildings. Could not a practical planning board, directed by sound-thinking local citizens improve your community in the years to come according to orderly plans, starting from the ground up? <sup>12</sup>

# Chapter II

## BASIC MAPS

Planning, in its simplest terms, calls for the preparation of the program for the future development of the community and the dynamic implementation of the scheme. Planning embraces, to a large extent, the harmonizing of public and private uses of land to promote the general welfare of the populace.

While the role of the planning board is paramount, all town and city officers, boards, and commissions have supporting parts if the municipality's future growth is to be reasonably directed. The planning board is a coordinating agency, and must rely on the assistance of all other departments and the general public if it is to avoid the illusory. Naturally, there is always room for imagination for "the centre of every man's existence is a dream," but realistic controls cannot be discarded.

It follows then that the planning board has the task of winning the trust of these agencies, and the people, at the outset, if its labors are to have meaning and purpose. This is not impossible if the board members exhibit confidence in these agencies and in the public generally, and willingly seek out the advice and suggestions of others.

Before the planners can design the master plan, their major objective, and the community's official map, if that is desired, much effort must be given to gathering the basic data upon which the plan will rest. This means the statistical measurement and the evaluation of the resources lying within the city or town. The term "resources" is broadly interpreted to include: population and its composition, housing, community facilities, physical and natural resources, and the industrial or business framework of the locality. Unless this is done with zeal and accuracy, the master plan cannot possibly embrace:

. . . among other things, existing and desirable proposed public ways, street grades, public places, bridges and tunnels, viaducts, parks, parkways, playgrounds, sites for public buildings and structures, building and zoning districts, pierhead and bulkhead lines, waterways, routes of railroads, buses, and ferries, and locations of sewers, water conduits, and other public utilities, and other pertinent features of such a plan, including existing private ways.<sup>13</sup>

This catalogue offers ample evidence that the master plan is an all-inclusive document, and while it seems to be centered on the spatial relationships of man-made objects, people, rather than buildings and streets, are its major concern. In their work then, planners are primarily concerned with the shaping and reshaping of the physical environment of people that the public weal be advanced. The master plan therefore embraces the establishment of policies for future growth, and clearly portrays what needs to be done in light of the gathered evidence.

However, before venturing deeper into master plan preparation a succinct appraisal is in order:

If anyone thinks that the Master Plan is not seen as a truly magical document, he need only talk to a mayor or civic leader in the city that is buying

or has just bought one. [His] faith in the omnipotence of the Master Plan is touching, just like the savage's faith in the incantations of the witch doctor.

But this unquestioning faith is also disturbing. The danger in accepting the "functional" theory of magic—the theory that magic actually works—is that too easily you forget the dysfunctional aspects. Too easily you overlook the fact that so long as you use a magical remedy, so long do you postpone the use of nonmagical remedies.

In the case of the magical treatment of disease, postponement may mean death to the patient. In the case of the magical treatment of urban ills, reliance on the magic of a Master Plan instead of on planning, with a small "p," may not spell death, but it certainly means that later, successful treatment, if it is ever possible, will be more difficult and more expensive.<sup>14</sup>

The foregoing indicates the danger that the master plan may be considered an end in itself, and that when unveiled to popular gaze it might take on the lustre of a magnificent sculpture. More accurately, the master plan is a well-designed line of departure for municipal development. Planning is dynamic, for social needs continually change. It is impossible to shackle democratic people to anachronistic programs, and a static master plan is meaningless. With the preparation of the master plan the planning board has but started its work.

What procedures are needed to gather the information essential to the master plan? No simple answer is possible for there is no single "best" way to conduct the research. Suffice to say that the responsible persons must make thorough inquiry into all the factors that have made the city or town what it is, and those that are likely to influence its future growth.

Before the basic study of the community is undertaken, a base map should be developed whereon land uses may be accurately plotted. Practically every city and town in the Commonwealth has some sort of map on hand, although its accuracy and utility to a planning board may be limited. Some towns, at considerable expense, have had their areas mapped in recent years for assessment purposes, and these maps obtained by modern aerial methods are extremely accurate. The planning agency in these communities will have a relatively easy task in plotting desired data on readily obtained copies.

Those towns lacking modern tax maps may obtain a highly satisfactory map at relatively low cost thanks to the work of the United States Geological Survey and the Massachusetts Department of Public Works in preparing topographical plates of the entire Commonwealth. These plates allow the construction of adequate maps and the techniques involved are not difficult, but they do have size limitations, which may be overcome by careful drafting on larger scales.

The procedure for readying a base map from United States Geological Survey plates is relatively simple. Thanks to information available at the state Department of Commerce, identification of the appropriate plate or plates covering each town is easily made, and the professional staff of that agency will assist local planning officials in map preparation.

Acquisition of the proper plate or plates is the first step. If more than one plate is required the borders should be trimmed, the sheets matched, and then held together with tape on the reverse. A mask of white paper shaped to the town's outline is applied allowing some area



outside the municipal boundaries to show. The title, scale, and similar information may be typed directly on the mask. A photograph is taken, and the resulting negative can then be touched up to eliminate any unwanted data. This negative is thereupon used to reproduce a transparent positive enlargement on a pre-determined scale. Additional information may be applied to the transparency with India ink.

The transparency, which may be called the skeleton base map, is the source of the desired reproductions of varying size up to a width of 42 inches, which is the maximum width of commercial paper ordinarily available. Should maps of larger size and scale be desired, manual drafting from the base map by the municipal engineering staff or private firm could be employed. A scale of 400 or 500 feet per inch is generally recommended.<sup>15</sup>

In addition to the skeleton map from which a multitude of special purpose maps may be reproduced, the planning board will find many uses for a topographical map and aerial photographs which are available for all areas in the Commonwealth.

A property map is still another valuable addition to the tools of city and town planners. This map shows the layout and dimensions of all real property within the community, names of streets, location and numbers of benchmarks, and similar data. Ordinarily it has a large scale of 50-100 feet per inch. Many city and town assessing departments possess these maps, and where they are not readily available there is a possibility that the Sanborn Map Company<sup>16</sup> has prepared insurance atlas sheets for the city or town which could be used as a basis for a locally prepared property map, copies of which, when completed, lend themselves to highly desirable land-use maps.

In plotting certain land-use data on the skeleton base maps, planning boards may well be guided by the uniform symbol system originated by the National Resources Committee and since improved by the Public Administration Service.<sup>17</sup> The use of standard symbols decreases the laborious work entailed in developing a local symbol system, tends to prevent errors, and limits the possibility of misinterpretation by succeeding planners and others. The system alluded to provides significant guides to the development of excellent land-use maps.

Land use, in general, means the actual use to which a particular plot of land is put, that is: residential, business and commercial, industrial, public and quasi-public, agricultural, or vacant, allowing fine subdivisions within each category. This information is posted by the use of contrasting colors for each major category with an appropriate symbol for the sub-category.

More detailed information on land and improvement values could be plotted to a subsidiary map to be used in conjunction with the basic land-use map, and a zoning map, to pin-point the areas of high and low values, those needing neighborhood improvement, and those that may lend themselves to urban renewal and redevelopment. A subsidiary map may be used for each of the following purposes: land values, lot area per family, age of buildings, and tax delinquencies. A basic simplified coloring system has been developed for these purposes. Other purposes could, of course, be devised.

These land-use maps would, in turn, despite the labor involved, be

of inestimable value in the delineation of the master plan following the completion of the remaining base studies, for they permit the planning board to deduce areas of future growth, areas of retardation, those areas with particular problems that call for remedial action, and the areas for which land-use plans should be developed, modified, or expanded within the master plan. In some instances changes in the zoning by-law or ordinance will be suggested to the city or town by these maps.

One great asset shared in common by the people of a community and the Commonwealth is the land itself. Few of us realize how much of it is actually publicly owned in the form of streets, public building sites, public parks, reservations and the like, and even fewer comprehend how much is devoted to the great variety of private uses. A successful planning program must have this information and its availability is assured by the creation of an analytical land-use map. In the end, the wise and efficient use of every square foot of land, whether publicly or privately owned, is important to the municipality and the Commonwealth.

It ought to be kept in mind that:

Together with population and related information, data on the use of land are perhaps the most vital for a multiplicity of decisions which have to be made by various public and private groups in the community. And, like the people who use it, the purposes to which land is put and the conditions under which it is employed are constantly changing. Planning agencies especially must keep constantly abreast of land-use developments in order to conceive new or revise old plans in light of current patterns. Officials in charge of regulating public housing, sanitation, and health, and urban renewal must be constantly alert to physical and economic conditions of existing structures; while private building contractors, developers, and those with aesthetic or humanitarian instincts share common subject matter interests from widely divergent motives. The vast number and types of persons concerned with land-use data can scarcely be overestimated.<sup>18</sup>

Note also that there are other wellsprings of valuable facts for base-map preparation including the highway surveying information of the state Department of Public Works. Very often the public utility firms serving the city or town have surveys and maps that could simplify the correct positioning of pipes and power lines, and in some instances real estate developers have accurate maps of particular sections of the community. There is also the chance that the larger industrial concerns located in the city or town have mapped their immediate environs. This brief listing may suggest other informative sources to a local planning board.

Mapping could easily be supplemented by a personal reconnaissance of the city or town by the planning board members to obtain a fresh view of the community. As planners they will note the primary natural and man-made features, the condition of neighborhoods and housing, the degree of dilapidation, locations of businesses and industries, schools, hospitals, parks, and the like. Through this survey the base maps will be executed with greater ease, and comprehension of their content will be assured, and "once one understands, action is easy."

## Chapter III

### THE PEOPLE AND THEIR ECONOMY

With the base map at hand, the remaining studies should be launched by the planning board in order that its goal, the master plan, be attained. The board members ought to be careful that they do not become bogged down by their research function and be overwhelmed by trivia. Only pertinent data are desirable and very often the measurement of the meaningful is a complicated task; however, it has to be done if the board is to get ahead with its work.

Time and again it has been said that planning is for people, and not an end in itself. Indeed, government exists for the people, and the planning phase exists to make life more complete. On this account, population studies possess a unique priority, yet present difficulties at every turn.

Be that as it may:

Making a study of the population is essential to an understanding of the needs of a community, its growth, its activities, its services, and its layout. Population data are needed to understand the past and to foresee the future, to know the number and kinds of people for whom services must be provided, and the number that can support the community or must be supported by it.<sup>19</sup>

A planning board will be concerned with the composition and characteristics of the community's people, the existence and number of social problem cases, the current total population, the probable future population for the years encompassed by the master plan (with annual revisions), and the distribution of the people within the locality.

Composition and characteristics include age and sex make-up, family size, housing, and the like. Social problem cases deal with arrests, crimes known to police, juvenile delinquency, illegitimacy, and indigency.

The most important information on a community's population and characteristics is found in the decennial census of the federal government which, in Massachusetts, is buttressed by a state census every ten years. Even with accurate bases such as these, forecasting the municipality's population growth for a decade or two into the future is a formidable and trying task. Population projections for the nation and the several states are made by the Bureau of the Census<sup>20</sup> and possess reasonable accuracy thanks to the size of the areas involved, but the rate of growth evidenced for the state will not necessarily apply to the communities within it. Heretofore mention was made of a projected population increase of 17.5% for Massachusetts from 1950 to 1970, and this is accompanied by a projected rate of 19.4% for the 149 cities and towns of Greater Boston lying within the radius of 30 miles of downtown Boston.<sup>21</sup> The 19.4% rate does not mean that each of the constituent units will increase at that rate; some will exceed it greatly, others will not approach it.

Nevertheless the projected population trends for the Commonwealth

and its regions will have some bearing in understanding the forces at work in a particular city or town. In many instances it may pay the town or city well to employ the services of a population expert on the staff of a nearby college or university to conduct this basic population study.

Population is affected by many factors in addition to the increment due to live births over deaths, or loss due to deaths in excess of live births. In this era of great population mobility the positive or negative addition caused by in-migration or out-migration of people is very real, and is a most thorny component to evaluate; for it is contingent upon a multitude of other elements such as availability of homesites, environment, and economics.

Professor Frank L. Sweetser explains a splendid and modern approach to population projections in his Greater Boston Economic Study Committee report in the following terms:

The component, or input-output method used by the Census Bureau, was adapted for the present GBESC area projection. It has the advantage over the simpler projection of growth curves of providing a projection of the age-sex composition. This is important for many kinds of specialized planning.

As applied to the GBESC area, the component method started with the 1950 Census population classified by age and sex. Estimated births were added for the decade; estimated deaths were subtracted from appropriate age-sex groupings; migration increments and decrements were estimated for each age-sex grouping, and the results of aging were allowed for to produce an estimate of population in 1960 classified by age and sex. This 1960 projection, in turn, became the basis for a similar series of "inputs" and "outputs" to compute the 1970 projection. Thus, in principle, the method is simple.

In fact, the process is technically much more complex. The need to derive the components of change, and correct available data for known inaccuracies, made the actual computations rather complicated. The 1950 base population, by five-year age-sex groupings, was obtained directly from the U.S. Census, but was corrected for the underenumeration of children under five years. The number of persons who could be expected to live ten years to 1960 was estimated by applying appropriate survival rates to each age-sex grouping, thus, in effect, subtracting deaths. Migration components for each age-sex grouping were estimated by comparing the estimated survivors from 1940 with the 1950 Census count ten years older, and adjusting the totals to check with an independent estimate of total migration for all ages derived from registered births and deaths. Births between 1950 and 1960 were estimated by applying the 1955 ratio of children under five years to women 15-44, to the projected number of women 15-44 years in 1960, and by utilizing the 1955 Massachusetts Census count of children under five in that year. Adding (or subtracting) migration components to estimated numbers of survivors for each age-sex grouping completed the projection to 1960 for those ten years old and older. Adding estimated births, further adjusted for survival to 1960 and migration, filled in the projections for those under ten. The 1970 projection was similarly built up, component by component, age-sex grouping by age-sex grouping.<sup>22</sup>

Still another excellent population study has been made for southeastern Massachusetts covering such matters as population size and age patterns, distribution, characteristics, and the implications of the several trends. In addition to an explanation of the methods utilized, several observations were made, one of which states that:

The primary source of population growth in both the suburban and outlying towns will be migration flowing outward from the central cities or into the region from nearby metropolitan centers. It is probable that most of this movement will continue to be concentrated in the metropolitan suburbs. However, if land prices in close-in communities rise to prohibitive levels, if good land is in short supply, if suburban taxes rise substantially or if other factors unfavorable to close-in development become increasingly operative, outlying towns are likely to register large gains at the expense of the suburbs.<sup>23</sup>

This deduction could well serve as the leavening agent for any population projection made by or for a local planning board.

Other excellent sources of population data are the public utility corporations serving the municipality, the school census, the state Department of Commerce, and the records of municipal officers.

An age and sex breakdown of the population is necessary for a comprehension of school plant needs, the probable number of family formations, housing needs, and labor force estimates. An accompanying occupation analysis is a valuable adjunct to the economic base study.

Recently the Town of Needham's Future School Needs Committee prepared a worthwhile projection of that town's school population and classroom needs to 1970. It may be well at this point to describe briefly the procedures used.

The projections rest primarily upon actual and potential dwelling units, the projected birth rate for the town and anticipated in-migration, the latter being the more difficult to appraise. To assure a realistic evaluation a "persistence factor" was calculated for each school grade using the actual experience for the previous 15 years; that is, the percentage of students advancing to the next higher grade in the following school year.

First grade attendance was obtained by using the number of births recorded six years prior to the year in question plus both the population growth and in-migration factors. Figures for the succeeding grades were derived from this base by applying the "persistence factor" and the applicable population growth factor.

The figures achieved were compared with the actual statistics for the years 1952-1957 and were accurate to .4%, a high degree of reliability.

The anticipated net public school attendance was further ascertained by deducting the numbers expected to attend parochial schools in the town. Thereupon the additional classroom space requirements were computed: the maximum number on a 28 to 1 ratio, and the minimum on a 30 to 1 ratio, except that a 50 to 1 ratio (2 sessions at 25 to 1) was used to ascertain kindergarten space needs.

The probable location of the classrooms was determined by a study of a large-scale map of the town showing existing dwellings, areas where housing construction was underway, and the areas where dwellings could be built. Using existing school districts as the base, current housing saturation rates were obtained to indicate the potential growth pattern of each district in the coming years. The continuance of existing zoning regulations was presumed.<sup>24</sup>

In any event, the population data obtained from the available sources should be carefully tabulated, and then plotted to a population base map. Several methods may be adopted. In a city the ward lines may be use-

ful, in a town, so divided, precincts lend themselves to this process, and in other towns plotting the population per acre may suffice. By using shadings, various hachures or colorings, the density rates can be coded.

Areas for potential population growth, through sub-divisions and the like, are readily discovered by applying translucent overlays of the zoning and the topographical maps to the population map, and some estimates of future population are possible assuming there are no substantial changes in the basic zoning by-laws and there is a relatively steady dwelling construction rate, along with a knowledge of average family size and the net in-migration factor.

It is self-evident that the onward march of history has introduced many changes in the nation, in the Commonwealth, and in our municipalities. Man can move with the speed of sound. The automobile, airplane, telephone, radio, and television have made neighbors of us all. Automatic machinery supplies us with an abundance of goods. Agriculture has been revolutionized. Science has opened frontiers that are seemingly boundless. Medicine and its related public health program have lengthened the span of life. On all fronts, social, economic, and political, the dynamism of the century is being felt.

The description and analysis of the society in which we live is now more Herculean than formerly, and this is particularly true of our national economy. Thanks to the ever-increasing interdependence of all societal factors, an evaluation of the local scene and its economy is likewise difficult. Nevertheless, if the future needs of the people of a community, state, or region are to be outlined in a meaningful and comprehensive fashion the widest possible knowledge of the ways and means whereby they earn their daily bread is essential, as also is a knowledge of the probable direction of the municipality's economy.

Planning, by its very nature, demands an understanding of the local economy as well as the composition of population, for the success of any governmental proposals will in large measure be determined by the capability of the people to support them. Furthermore, in this day and age, a municipality must give considerable thought to its economic development.

At the outset, however, once the population study has been completed, attention need first be directed to an economic base study followed by an environmental appraisal, before economic development can be satisfactorily scrutinized. The economic base study may require technical assistance in gathering the pertinent data and in analyzing it for proper balance and content as a useful planning tool.

The economic base study, in brief, calls for a considerable breakdown of the population study so as to determine the community's labor force. Ordinarily the characteristics of the labor force should include groupings by age, sex, skills, education, principal occupation, employment, and all salary and wage information that can be ascertained.

It would be an expensive undertaking to conduct a locally sponsored census of the municipality to obtain this data, and on that account it must be ruled out. There are other sources which, while not as exhaustive as a special census, may render valuable and quite accurate information. These include: the annual police listing, the latest federal

and state decennial census findings, special federal census reports, local chamber of commerce studies, special studies that may have been conducted by local business and service organizations or educational institutions; state agencies such as the Division of Employment Security, the Department of Commerce, and the Department of Labor and Industries, among others, often possess useful data on local conditions; and the regional office of the Bureau of Labor Statistics, U.S. Department of Labor, is still another pertinent repository. Business and manufacturing firms, and labor groups should also be enlisted.

The foregoing could well be buttressed by a skillfully conducted sampling of the community's population. If it were properly done, it could test the validity of the preliminary information gathered from the primary and secondary sources mentioned above. Sampling is fraught with many pitfalls and great care is needed in the preparatory and executory stages if a reliable cross-section of the municipality is to be measured. Unintentional bias and error can easily slip in and impair the results of the study; consequently only those highly skilled in the statistical procedures involved should be employed.

Once the labor force description is at hand a projection into the years ahead could be undertaken in keeping with the method utilized for the general population projection previously mentioned. This is a rather necessary procedure if the local economy is to be appraised and if proper steps are to be taken to assure its development in keeping with popular needs.

With the time for the federal census fast approaching, planning boards may well keep in mind that the data to be published soon thereafter will afford them an excellent opportunity to verify their own studies. The census tracts will in many instances offer significant economic and social evidence for perusal and for inclusion within their cache.

It may be well to draw some comparisons between the make-up of the labor force locally employed and the occupational composition of the total population, and with the labor force in nearby cities and towns. If data is available it would be wise to compare the wages and salaries paid locally with those prevailing in comparable communities, and with the Commonwealth as a whole, for in the long run the ability of a people to pay taxes and so support their local government is determined by their individual income. This knowledge will also bar the development of a master plan too expensive for execution. Wage and salary income data for selected communities is from time to time gathered and reported by the regional office of the Bureau of Labor Statistics.<sup>25</sup>

The daily inflow and outflow of workers is another subject for study; that is, the number of non-residents employed within a city or town and the number of local residents employed elsewhere will give some evidence of economic opportunities in the municipality and the surrounding communities. The percentage in both categories should be achieved. This information will also give some inkling to the public transportation needs, traffic patterns, and street and highway loads. Employment studies of this nature have been made from time to time by the Division of Employment Security.

Following this, it may be wise, on the basis of labor force and popu-

lation projections, to examine the net addition to the labor force that will accrue each year in the future. Through the application of the percentages obtained above, a fairly good picture of the number of new jobs that must be created annually in the community and elsewhere to absorb these new workers will be obtained.

A thorough inventory of all avenues of employment within the municipality ought then to be garnered. As only 1.7 per cent of the Massachusetts population is classified as rural-farm, with the exception of a few communities, agricultural employment opportunities are not significant. Non-agricultural employment is ordinarily subdivided into "manufacturing" and "non-manufacturing" with several categories within each major class. (See Appendix C for a listing.) Note, too, that certain employment fields in Massachusetts have greater growth potential than others, as for example electronics components over textiles, but the determination of the anticipated growth or decline factor for a particular field of endeavour is highly hazardous for even the expert economist. From time to time the daily press, business oriented periodicals, and banking releases do contain prognostications on the expansive possibilities of certain industries. In the absence of objective criteria the rule of common sense comes into play, keeping in mind that a dynamic economy may be assumed in the face of our startling population growth.

The number, type, and size of all business and industrial establishments within the municipality should also be known. This data will indicate the degree of diversification present and to some extent the stability of employment opportunities. It may also suggest the growth possibilities, particularly when combined with the expansion plans of the firms, and may serve to encourage the locating of new concerns producing similar or related items and services.

A survey of the locality's natural resources should also be undertaken; this includes the recreational sites that may prove attractive to tourists and vacationists. Present and potential water supplies must necessarily receive exhaustive study. Water is a vital resource, and in many sections of the nation recurring shortages constitute a barrier to economic development. In Massachusetts many communities have inadequate water supplies as was evidenced by the dangerous shortages that occurred during the mild drought of 1957, and which have arisen in several cities and towns before and since then, during the summer months.

An expanding population and economy will demand more and more water. The only answer to this demand is water! Underground sources are at the mercy of variances in the water table, and many potential surface supplies are in such a condition of pollution that assuring their potability will take years of joint effort on the part of our local, state, and national governments. Much of our stream and river runoff is now wasted, for its impounding is too costly for the single town even though the water is not polluted. This reality indicates an imperative need for considerable investigation of the feasibility of creating regional water districts akin to that of the Metropolitan District Commission. First, however, there must be more comprehensive plans for the sane disposal



of industrial waste and sewage; this implies a restudy also of the excessive use of cesspools and septic tanks in rapidly developing suburban areas if potential underground supplies are to be protected from contamination.

Planners should also consider the public utility services provided to their community; this includes telephone, telegraph, electric power, gas, airlines, trucking and bus lines, and railroad facilities. Rate and fare structures must necessarily be known, and comparisons with those charged elsewhere could be profitably undertaken. In cooperation with the corporations involved, their plans for future expansion in the community and region may be elicited.

In line with this, and in keeping with the ever expanding use of the automobile, attention should be directed to the community's highway needs, including on-street and off-street parking facilities. The state Department of Public Works and the municipal highway agency ought to be consulted in this regard so that their proposals may be integrated into the "master plan," and their probable effect upon the community's housing, industrial, and business areas may be properly evaluated. A subdivision upon land that may be seized under eminent domain proceedings for highway uses is a highly uneconomic venture!

Still another body of information that is needed centers upon the municipal income and expenditures. A planning board is a governmental agency and should be fully aware of the financial health of its community. Indeed, this is a "must" if the plans for the future are to be drawn within the framework of right reason, or, more accurately, in keeping with the municipality's ability to pay. The income by sources, and expenditures by major items for the preceding decade should be compiled in order that significant changes and trends may be observed. Price level changes should be kept in mind. A tabulation of the assessed valuation of taxable property in the city or town covering the same period is still another requirement. Some caution is to be exercised in using the raw figures in the latter instance, for in doing so any revaluations performed by the board of assessors during the period may be overlooked. Consultation with the assessors is therefore necessary. Anticipated changes in the state tax structure that would increase or decrease the flow of shared taxes with the city or town should also be considered. The municipal debt structure must likewise be known so that its burden is clearly appreciated, and the troughs and peaks in the repayment cycle, if any, are exposed; for any future capital outlay proposals must be coordinated with the pre-existing debt and the anticipated revenues and receipts of the municipality. This will be discussed more fully below.

It is incumbent on the planners that they also have a full enumeration of the publicly owned physical assets. This listing will include school buildings, and other public buildings or facilities such as the town or city hall, highway department garage, library, parks, police and fire installations, water system and sewage treatment plants and their respective pipelines. The construction date, structural information, life expectancy, present value, and other concrete items could be included.

Another aid is the construction trends for dwelling and industrial

purposes; the data is ordinarily available at the municipal building inspector's office or in the monthly building activity reports of the state Department of Labor and Industries.

The foregoing described maps and studies are not all-inclusive, but are represented as being the required minimum necessary for preparing the foundation on which a dynamic master plan may be established. Individual planning boards will undoubtedly want particular information studies over and above those suggested; yet it should be remembered that involvement in means may impair the attainment of ends.

## Chapter IV

# ECONOMIC GROWTH AND REDEVELOPMENT

The economic growth of the municipality, and of the region wherein it is situated, is of paramount importance to the welfare of its people. Lacking continued economic development, the execution of the master plan would be seriously hampered, if not negated, and the locality would undoubtedly become an unfavorable situs for living and working. A free enterprise economy does not bar a town or city government from playing a role in its furtherance.

If the town or city has a development and industrial commission,<sup>26</sup> the planning board could expeditiously work with that agency in conducting the economic and social analysis, and in stimulating the program for economic development. The support of interested service and business groups in the community should also be enlisted so that a hard cored and systematic approach is assured. If the analyses have been conducted properly, the community's strong and weak points will have been revealed to present a factual starting point for a successful development policy. In the absence of a development and industrial commission, the planning agency should exert every effort to stimulate citizen action and to win the cooperation of all government departments. Positive action is necessary in either situation, for wishful thinking will not accomplish the job, nor will promotional advertising and related "gimmicks" unfold the new era.

The effective use of planning will tend to make the community alluring for businesses already present and encourage their expansion, and may also serve as a magnet to draw those seeking new sites. Businessmen and industrialists will shun municipalities that know not where they are going, as the absence of good planning and an interest in economic progress indicate lethargy on the part of the community, a probably inept government, and an unhealthy economic climate. An unplanned community may also be so devoid of physical and cultural attractiveness that a firm would be most hesitant to have its employees settle there.

It seems, then, that there is a most substantial relationship between planning and economic development.<sup>27</sup>

This gives rise to still another aspect of planning: urban renewal and redevelopment.

There are few cities and towns in Massachusetts lacking blighted areas that ought to be obliterated because of their obsolescence, deterioration, and neglect, and their underlying menace to the public health, safety, and morals. The old street patterns and the unplanned dilapidated residential and industrial areas are unsuited to a modern urbanized state. Further, they are costly liabilities, for their existence detracts from the community, and the cost of supplying municipal services to the sections greatly outweighs any contributions they may make.

In keeping with the Housing Act of 1954 it is the responsibility of

the city or town to draw up a "workable program" for its own redevelopment before supplementary federal financial aid will be forthcoming from the Housing and Home Finance Agency. Simply, this federal assistance is to complement local activity, and to help cities and towns to help themselves; it will not supplant local effort, nor will it replace local determination and responsibility. Community leaders should also be aware that Massachusetts has enacted significant legislation with respect to urban renewal and redevelopment, and each city and town should become acquainted with it at earliest moment.<sup>28</sup> Among other things the law allows the establishment of redevelopment authorities and corporations, and an urban renewal program. Furthermore, the planning boards are endowed with certain approval powers in keeping with the master plan for the community, and the state housing board is also granted confirming powers over any such program adopted by a city or town.

Whether it intends to seek and use federal aid, or act on its own without that help, each town and city could well adopt the "workable program" approach in planning, being mindful of state statutory requirements. It is, in fact, a necessary part of the municipal master plan if its facelifting is to be achieved, and blight and decay are to be eradicated to assure orderly growth.

The "workable program" establishes seven objectives which are to be attained within a reasonable time; they are:

1. Adequate local housing, health, and safety codes and ordinances, effectively enforced.
2. A comprehensive plan for community development.
3. Analysis of blighted neighborhoods to determine treatment needed.
4. Effective administrative organization to carry out the improvement program.
5. Ability to meet financial requirements.
6. Rehousing families displaced by urban renewal and other governmental activities.
7. Citizen participation and support for local renewal objectives.<sup>29</sup>

For towns with less than 5,000 population a simplified procedure is available, but the "workable program" goal is identical with that for larger communities.

Before a further consideration of urban redevelopment, the national housing policy of Congress is stated for it offers significant information to planning board members:

The Congress hereby declares that the general welfare and security of the Nation and the health and living standards of its people require housing production and related community development sufficient to remedy the serious housing shortage, the elimination of substandard and other inadequate housing through the clearance of slums and blighted areas, and the realization as soon as feasible of the goal of a decent home and a suitable living environment for every American family, thus contributing to the development and redevelopment of communities and to the advancement of the growth, wealth, and security of the Nation. The Congress further declares that such production is necessary to enable the housing industry to make its full contribution toward an economy of maximum employment, production, and purchasing power. The policy to be followed in attaining the national housing objective hereby established shall be: (1) private enterprise shall be encouraged to serve as

large a part of the total need as it can; (2) governmental assistance shall be utilized where feasible to enable private enterprise to serve more of the total need; (3) appropriate local public bodies shall be encouraged and assisted to undertake positive programs of encouraging and assisting the development of well-planned, integrated residential neighborhoods, the development and redevelopment of communities, and the production, at lower costs, of housing of sound standards of design, construction, livability, and size for adequate family life; (4) governmental assistance to eliminate substandard and other inadequate housing through the clearance of slums and blighted areas, to facilitate community development and redevelopment, and to provide adequate housing for urban and rural nonfarm families with incomes so low that they are not being decently housed in new or existing housing shall be extended to those localities which estimate their own needs and demonstrate that these needs are not being met through reliance solely upon private enterprise, and without such aid; and (5) governmental assistance for decent, safe, and sanitary farm dwellings and related facilities shall be extended where the farm owner demonstrates that he lacks sufficient resources to provide such housing on his own account and is unable to secure necessary credit for such housing from other sources on terms and conditions which he could reasonably be expected to fulfill. The Housing and Home Finance Agency and its constituent agencies, and any other departments or agencies of the Federal Government having powers, functions, or duties with respect to housing, shall exercise their powers, functions, and duties under this or any other law, consistently with the national housing policy declared by this Act and in such manner as will facilitate sustained progress in attaining the national housing objective hereby established, and in such manner as will encourage and assist (1) the production of housing of sound standards of design, construction, livability, and size for adequate family life; (2) the reduction of the costs of housing without sacrifice of such sound standards; (3) the use of new designs, materials, techniques, and methods in residential construction, the use of standardized dimensions and methods of assembly of home-building materials and equipment, and the increase of efficiency in residential construction and maintenance; (4) the development of well-planned, integrated, residential neighborhoods and the development and redevelopment of communities; and (5) the stabilization of the housing industry at a high annual volume of residential construction.<sup>30</sup>

Urban renewal is a valuable means to the reshaping of a municipality for the years ahead. Planners will do well to recall that renewal depends to a large extent on citizen support and cooperation, for a dilapidated residential or business area can often be privately rehabilitated and thus become a community asset. In the sections where blight has become deeply rooted, demolition and clearance may be the only alternatives in order that the land area may be readied for a more economic use by private enterprise, or a public housing authority.

The Housing and Home Finance Agency through its component the Urban Renewal Administration offers several aids to cities and towns.

This Administration will advance funds for the needed survey and planning prior to the start of actual operations. Temporary loans and grants for needed working capital to underwrite the expense of acquiring slum land and structures and preparing the area for redevelopment are also made. These funds may also be used to effect the rehabilitation of publicly owned buildings, streets, spot clearance, and recreational facilities. No federal money is granted for the construction or repair of buildings in the project area; this is open to private enterprise, or to the

city or town if a public use is portrayed. Once the tracts are cleared it is intended that they be transferred at a fair price to private or public bodies for redevelopment. The municipality may accept either of two prevailing formulas under which the federal assistance grant will be made. One of these provides for a federal share equivalent to two-thirds of the net project cost with the city or town providing the other one-third in cash, land, public facilities, demolition, or other work contribution. The other formula calls for a three-fourths federal payment provided that the city or town pays the full amount of the planning, legal, and administrative costs.

Another aid consists of a federal grant up to two-thirds of the cost of an approved demonstration project. A demonstration project is in reality a study of the community leading to the development of techniques for the elimination of slums and blight.<sup>31</sup>

Federal grants are also made by the same agency on a 50-50 matching basis through the Division of Planning, Massachusetts Department of Commerce, to cities and towns with populations under 50,000 to assist them in their general planning.

One more phase of federal advances for municipal improvement centers upon the program for public works planning. This was initiated under the Housing Act of 1954 and was expanded by the amendments of 1955, and it is administered by the Community Facilities Administration of the Housing and Home Finance Agency with a two fold purpose:

1. Encouraging municipalities and other public agencies to maintain at all times a current and adequate reserve of planned public works which can readily be placed under construction.
2. Promoting economy and efficiency in planning and building public works.<sup>32</sup>

This program stems from the belief that public facilities are "basic requirements for housing, urban renewal, industrial and economic expansion, area and regional growth."<sup>33</sup> It is generally recognized that there is a tremendous demand for new public works in practically every city and town in Massachusetts to satisfy the needs of a growing population and economy. Further, the facilities on hand must be maintained properly and perhaps enlarged to keep up with these needs.

The advances referred to above are made from a revolving fund on an interest-free basis to cover the cost of engineering and architectural surveys, designs, plans, estimates, working drawings, specifications, and other data essential to construction. Repayment is not required until construction actually commences. These loans are meant to help cities and towns in planning any public works for which they have a legal right to undertake. The extent of the planning to be underwritten will be determined by the municipality involved and a representative of the Community Facilities Administration.<sup>34</sup>

## Chapter V

# THE OFFICIAL MAP, SUBDIVISION CONTROL, AND MASTER PLAN

The next step logically is the development of a comprehensive plan, or master plan, for the city or town. The master plan is, in fact, a consolidation of the base maps and base studies made by a planning board along with the projected programs for each of the next 15 or 20 years with specific emphasis on the first few years. The master plan necessarily includes supporting textual material.

It is assumed that the planners have discussed each phase with the various municipal agencies, and have used public hearings, and all other available media, to ascertain the popular will and governmental needs prior to adopting the master plan by a majority vote. The adoption of the master plan signals the start of the planning board's real and engaging labors not only to implement the several projects in line with a priority schedule subject to revision as municipal needs change, but also to keep the master plan progressive and viable, but more on this later.

By way of information, the master plan is not to be confused with an "official map."<sup>35</sup>

The "official map" aims at clearly delineating the public ways and parks as laid out and established by law in the community, and the private ways then in existence that are commonly used by two or more persons. When, and if, accepted by a city or town, and recorded with the registry of deeds, subsequently approved subdivisions become part of this map. Building in areas lacking access to the recorded ways are estopped, although appeals are permitted. The construction of municipal utilities in any unrecorded way or in an unapproved subdivision is curtailed.

A city or town may make changes in or additions to its "official map" if such are in the public interest; proper notice of the public hearing must be given, and the changes have to be accepted by a two-thirds vote of the city council or town meeting, unless the changes are approved by the planning board when a majority vote suffices.

In many sections of the nation, land and housing speculators undertook the construction of subdivisions free from municipal control, and often with disastrous results. Frequently the lots were of meagre size, the ways were improperly laid out and generally unpaved, little or no provision was made for public utilities, jerry-built housing was too common, and the eventual cost to the municipality far exceeded the income from the area as blight and decadence set in. Suburban slums have developed in the past, and it behooves a municipality to take every possible step for their prevention in the future.

Zoning ordinances, when upheld by the courts, did offer some measure of control, but circumvention was common, and the developers blitzkrieged the areas where they did not exist.

Since 1907 Massachusetts municipalities have had some real measure

of subdivision control, but more particularly since the 1936 statute (Chapter 211) and its successor in 1953, the Subdivision Control Law.<sup>36</sup>

That subdivisions are not strangers to Massachusetts is evidenced by this interesting aside:

With the rapid development of our 19th century culture, particularly the growth of towns, the rustic simplicity of the colonial era gave way to the development of comprehensive communication systems within and between the thriving communities of the Commonwealth. In some instances large land holding corporations laid out entire communities on the basis of plans, prepared by competent engineers. The development of South Boston by its proprietors under the authority of a legislative act (Acts of 1803, 111) provides a most interesting example of community planning. In a similar manner the tract known as Noddle Island was laid out and developed by the East Boston Company (Acts of 1833, 152). These two developments were achieved without any substantial outlay of money by public authority. But the advantage had only temporary implications. Aside from the initial cost, the maintenance of public ways was a public responsibility which the Shaw Court had frequent occasion to define.<sup>37</sup>

Unless it is specifically rejected by a city or town when establishing a planning board the Subdivision Control Law is operative therein.<sup>38</sup> In brief, subdivision control means the power to regulate the subdividing of land, but this in itself fails to define the term. Land fronting on an existing way with lot widths meeting the zoning by-law requirement is not a subdivision; furthermore, subdivision control is not concerned with land use which is the basic responsibility of zoning. Assuming the existence of zoning regulations, the planning board examines the proposals for coincidence with the by-law.

It is necessary that planning boards adopt reasonable rules governing local subdivisions after public hearings.<sup>39</sup> These rules should set the requirements for preparing and submitting the plans for subdivisions; this means, generally, the street and public utility locations and their layouts, and provision for their construction in keeping with certain standards. These standards should be sufficiently adequate that the future maintenance and reconstruction costs to the municipality will not be excessive; by the same token, they should not be so onerous that developers are discouraged at the beginning. Reasonableness also seems to be the intent of the statute:

. . . In establishing such requirements regarding ways, due regard shall be paid to the prospective character of different subdivisions, whether open residence, dense residence, business, or industrial, and the prospective amount of travel upon the various ways therein, and to adjustment of the requirements accordingly . . .<sup>40</sup>

Apparently planning boards could consider the feasibility of having more than one class of standards for ways, sewers, sidewalks, curbs, and the like, in conformity with the characteristics suggested above. Great care would have to be exercised in order that the resulting regulations were neither arbitrary nor unreasonable.

In face of the difficulty in defining a subdivision, note should be taken of the legal requirement that:



No register of deeds shall record any plan showing a division of a tract of land into two or more lots and ways, whether existing or proposed, providing access thereto, in a city or town in which the subdivision control law is in force unless (1) such plan bears an endorsement of the planning board of such city or town that such plan has been approved by such planning board; and a certificate by the clerk of such city or town, is endorsed on the plan, or is separately recorded and referred to on said plan, that no notice of appeal was received during the twenty days next after receipt and recording of notice from the planning board of the approval of the plan, or (2) such plan bears an endorsement of the planning board that approval of such plan is not required, as provided in section eighty-one P, or (3) the plan is accompanied by the certificate of the clerk of such city or town that it is a plan which has been approved by reason of the failure of the planning board to act thereon within the time prescribed . . .<sup>41</sup>

On the basis of this section it will be possible for planning boards to dispose of many plans that are not true subdivisions by endorsement. Preliminary subdivision plans are often submitted to planners so that agreement may be reached on the basic details, in keeping with existing rules, to assure that the final plan prepared from the preliminary plan will conform completely with the requirements of the public health department and of the planning board.

A planning board should approve the final plan conditional to guarantees for faithful performance by the subdividers. These guarantees may be in the form of a bond or deposit, or by a covenant requiring prior approval of the ways and utilities before a lot may be built upon or sold.<sup>42</sup>

To revert, the master plan is a useless document unless the means for its execution are provided; simply, a long-range financial plan is a basic requirement if the anticipated projects are to become realities. Ordinarily the master plan will cover a 15-20 year period, and will establish the priority for each object in the plan. Special emphasis will ordinarily be given to the program for the first five year period for which cost estimates must be prepared. In the final analysis long-range financial planning is directly related to municipal planning, for the predicted income of a city or town will determine the extent of its undertakings.

Generally this financial plan will set forth the objectives and estimates for both services and facilities to be provided by the municipality during the period under consideration. It is essential for effective capital improvement planning which, in turn, is an integral part of the community's budget process. The five year capital budget, by way of information, is subject to annual review and revision to meet unanticipated changes and needs.

The long-range service program is perhaps of greater concern to department heads than it is to planners, but the latter cannot afford to disregard its implications. In simple terms this service program is based on the foreknowledge that as the city or town undergoes increases and shifts in population the cost of providing municipal services will also increase and may be accompanied by changes in emphasis. The construction and equipping of an additional fire station is a capital outlay, the related manpower growth in the fire department will be reflected in the annual operating budget, and should have been anticipated in

the long-range service program at the same time that the fire station and its equipment became part of the master plan and the capital budget.

The capital outlay program of the master plan is reflected in the annual capital budget. The annual budget should incorporate the capital expenditures established by the priorities for that particular year along with the operating expenditures. The dynamic character of the master plan should be kept in mind for the planning board, in cooperation with the department heads, town meeting or city council, the chief executive, and the general public, has the responsibility of revising it and advancing it into the future. In other words, as the projects for the year are undertaken, the priority order for the succeeding half decade is scrutinized, and the over-all plan is extended another year into the future. As an example, let us assume that the original plan covered the years 1960-1980, the years 1960-1965 are then of immediate concern, with the accomplishment of the 1960 objects the years 1961-1966 move into focus, and the needs for 1981 are entered on the master plan.

While the aforementioned is being done, the expected costs of the capital outlay and the service or operating programs are revised in keeping with current data. These capital and service projections must be kept in line with the long-range revenue estimates so that the annual operating and capital outlay budgets are financially possible.

One of the gravest problems facing the planning board, department heads, the legislative body, and the general public is the determination of the logical order of the planned improvements. There is no simple rule, or guide, to the achievement of general agreement, save that urgency and need are the dominant principles, and flexibility cannot be disregarded.

While the long-range revenue estimates are the responsibility of the municipal finance officers, they are of major concern to a planning board if the master plan is to be more than ephemeral. These estimates are ordinarily based on existing revenue policies, and on changes that might reasonably occur over the period. The debt structure as it exists must be studied, for it will indicate to some extent the alternative borrowing policies open to the city or town.

Some consideration could well be given to the "pay as you go" policy for as many projects as possible, for borrowing funds is an expensive gesture on the municipality's part. Worse still is borrowing without a well laid out plan for repayment in keeping with the community's ability to pay. When effected within the statutory debt limits long-term borrowing may be justified for capital improvements, but never for operating expenses. Thus it is possible to defend borrowing to meet an immediate menace to public health, or when income from the project will be sufficient to liquidate the loan as, for example, a water or sewer extension, again when the costs would be liquidated by special assessments or betterments, and finally if the object's utility extends so far into the future that its enjoyment by later taxpayers is not in doubt.<sup>43</sup>

# Chapter VI

## ZONING

Municipal planning is impossible unless the city or town has instituted effective zoning regulations that are zealously enforced. It has been said that "zoning is one of the most significant tools used in effectuating the master plan,"<sup>44</sup> and no evidence exists to contradict this evaluation.

A planning board must give considerable study to the existing zoning by-law or ordinance as its proposals for the master plan may require amendments to the regulations or may recommend a complete revision. In the absence of a zoning ordinance, it will be the responsibility of the planning board to prepare and submit a proposed zoning ordinance or by-law to the city council or town meeting. The role of the planners in the zoning field is entirely recommendatory, for zoning authority cannot be delegated to them, as, for example, the enforcement of the regulations.<sup>45</sup> Perhaps, at this point, it ought to be stated that the enforcement of zoning requirements is the proper function of the municipal officer charged with supervising building construction, although the governing statute<sup>46</sup> permits certain hearing powers to a city council or board of selectmen, and board of appeals.

Zoning in Massachusetts, as was explained earlier, is based on a constitutional provision and the so-called Zoning Enabling Act. In simplest terms it means land-use regulation under the state's police power, and this is supported by the statutory declaration that:

Zoning regulations and restrictions shall be designed among other purposes to lessen congestion in the streets; to conserve health; to secure safety from fire, panic, and other dangers; to provide adequate light and air; to prevent overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements; to conserve the value of land and buildings; to encourage the most appropriate use of land throughout the city or town; and to preserve and increase its amenities.<sup>47</sup>

The foregoing has been confirmed by the Supreme Judicial Court of Massachusetts:

Zoning . . . accomplishes the legislative objects of stabilizing the use and occupancy of property in different sections of a municipality, of protecting property owners in the various districts, and of preventing the invasion of business into residential sections.<sup>48</sup>

Zoning, when colored with the precept of reasonableness, and when squarely based on the enabling statute, is a lawful expression of the state's police power, and this has been upheld by the Supreme Court of the United States<sup>49</sup> as well as by the Supreme Judicial Court of the Commonwealth.<sup>50</sup>

Zoning vitally affects the use of private property and is a major determinant of a community's character; consequently zoning proposals should not be written in haste. Later revisions may be tedious if not

practically impossible thanks to the two-thirds vote requirement. Zoning ought to have positive rather than negative objectives. It is not the means of driving out undesirable functions from one town to the detriment of a neighbor; it must not and cannot be used to establish racial segregation—as has been done in the past in several regions of the nation, and only indirectly is it a device for promoting aesthetic controls over a community.<sup>51</sup>

Before discussing the content of a zoning by-law or ordinance, it seems pertinent to describe the procedural steps leading to its adoption that are required by the enabling law, for their existence indicates that the validity of the zoning by-law or ordinance will be dependent upon their exact pursuit.<sup>52</sup>

The planning board of a town, or the board of selectmen or an appointed zoning board in the absence of a planning board, is charged with the preparation of the proposed zoning by-law. Thereupon at least 15 days notice of the agenda, place, and time for the public hearing to discuss the proposals must be given in each of two successive weeks in a newspaper generally circulated in the town. A suggested follow-up to this method of giving “due notice” is the publication and general mail distribution of the by-law text to be considered in the hearing at least seven days beforehand. A city planning board must give 20 days notice of the public hearing.

Following the hearing the final report and recommendations are submitted by the hearing board to the town meeting. Ordinarily these will be in written form accompanied by appropriate maps. If the report and recommendations differ substantially from the proposals discussed at the public hearing, it is suggested that a second hearing be held, after due notice. In the event that the board does not submit a report with recommendations at least 20 days must pass between the hearing date and any action by a town meeting on a zoning by-law. A city council is further required to hold a public hearing on the planning board’s report and recommendations after giving 20 days notice before it may act on the proposed ordinance.

The town meeting, or city council, is then free to adopt the proposal as written, or with amendments, or to reject it, by majority vote. The adopted town by-law, the related map, and other supporting documents are then submitted to the Attorney General for his approval. Whether or not the zoning ordinance of a city must be similarly submitted to the state’s chief legal officer is determined by its charter.<sup>53</sup>

Following this approval, the town is required to publish the by-law in at least five public places, or in a public place in each of its precincts; alternate methods include its publication on three different dates in one or more newspapers circulating in the town, or by delivery of a pamphlet style copy to every occupied dwelling. City charters will control their ordinance publication requirements.

The law further requires that the zoning ordinance, or by-law, must provide for a board of appeals to be appointed by the mayor, or board of selectmen. This board exercises the following powers:

1. To hear and decide an appeal taken by any person who has been denied a building or occupancy permit by any municipal officer or board, or an appeal

by any person who feels that a decision of any administrative official in connection with zoning has been in error . . . .<sup>54</sup>

2. To hear and decide applications for exceptions.
3. To authorize upon appeal, or upon petition in cases where a particular use is sought for which no permit is required, variances from the exact requirements of the zoning by-law or ordinance.<sup>55</sup>

By way of explanation, the zoning by-law will establish clearly defined districts and set forth the uses permitted in each area. Ordinarily reasonable intensity regulations are set forth for each district to assure minimum lot dimensions, minimum yard size, maximum building heights, maximum percentage of land coverage by all structures, and minimum floor areas. The general regulations should treat such matters as non-conforming uses, accessory buildings, flood plain restrictions, and off-street parking areas for new construction; other sections ought to be devoted to enforcement procedures, the amendment process, and the establishment and composition of a board of appeals.

The zoning by-law, or ordinance ought to:

. . . comply with several tests as to its validity. One of these tests is that the ordinance must be based on some comprehensive plan. Precise definition of 'comprehensive plan' is difficult. While very many decisions mention it as a definite requirement, the courts appear to assume that what amounts to a comprehensive plan is more or less self-evident. . . .<sup>56</sup>

Reasonableness is another measure, and this means the rational relationship between the by-law and public health, safety, and morals. A third test centers on whether or not it is discriminatory on its face; in other words, the by-law must substantially promote the common good rather than that of a particular person or group. The courts will ordinarily presume that the enactment is valid if it positively meets these requirements, as it is a well-established principle that "every presumption is to be made in favor of the by-law or ordinance and it will be sustained unless it is shown beyond a reasonable doubt that it conflicts with the statute or the Constitution."<sup>57</sup>

Over the years several technical terms have been developed to describe certain types of zoning deviations. Often these terms in common usage are misunderstood, but clarification is possible if it is remembered that:

From the time the first zoning ordinance was enacted in New England the bulk of zoning litigation has involved petitions for deviations from the express terms of these ordinances. The property owner in this area of the law is not attacking the zoning by-law as such, but instead, he admits that his property and its uses do not comply with the wording of the ordinance, and further admits the validity of the zoning ordinance. What he seeks is to have a zoning board grant to him some kind of an exception, or allow him to maintain or extend a use not in conformity with the zoning plan.

The types of deviations that the property owners desire are classified, generally, into three principal areas. First, what are known as accessory or incidental uses; second, non-conforming uses; and third, exceptions and variances.

Although, theoretically, all three groups involve exceptions to the terms of a zoning ordinance, the word, 'exception,' is here used to denote a particular type of deviation. Likewise, the word, 'non-conforming use,' could theoretically

apply to any use made of property which does not comply with the terms of a particular zoning law. A non-conforming use, however, as the term is used in zoning law, applies to a very specific instance of non-compliance with the zoning regulations. The same holds true for the terms 'variance' and 'accessory use,' each one referring to a specific zoning law category.<sup>58</sup>

Usually the term "non-conforming use" applies to a use of property that pre-existed the zoning ordinance. Once this prior use is proven, it may be continued as though the ordinance did not exist, but expansion or changes in the use are usually forbidden unless the municipal by-law provides for this.

A "variance" is a use of property that differs from that prescribed in the ordinance which is permitted to a person to alleviate substantial hardship,<sup>59</sup> and that does no harm to adjacent property.<sup>60</sup> Such changes should be sparingly used, and only for good cause.<sup>61</sup>

Exceptions are, in fact, the alternative uses that may be allowed property owners in a particular district if approved by the Board of Appeals. They may be included in the zoning ordinance, but are required to be "in harmony with the general purpose and intent of the ordinance or by-law and may be subject to general or specific rules therein contained."<sup>62</sup>

An "accessory use" is one "which is dependent on or pertains to the principal or main use"<sup>63</sup> of the property under consideration.

Effective planning is highly dependent on an effective zoning by-law or ordinance. Without purposeful zoning the actions of a planning board are for naught; on this account zoning must be given a high priority by a municipality that is desirous of developing a significant master plan.

## Chapter VII

### REGIONAL PLANNING

In recent years much interest and thought has been devoted to the concept of regional planning. While no fully satisfactory definition of the term has been derived, it is generally thought of as meaning a relatively large area of land marked by a homogeneous geography, similar natural resources, an identifiable industrial or agricultural complex, and a like social and economic base, wherein a cooperative planning program is feasible.

To give some idea of the scope of the term it has been suggested that the land mass stretching along the Atlantic coastline from Augusta, Maine to Durham-Raleigh, North Carolina, thanks to its intense urbanization, constitutes a region for planning such elements as highways, railroads, and industrial location and decentralization.

Another area, and one closer to home, is made up of the six New England states, less a portion of western Connecticut which falls within the influence of New York City. The National Resources Planning Board made several valuable studies of the New England area to suggest the possibility of an integrated plan.<sup>64</sup>

Some implementation has come in recent years with the establishment of several interstate agencies by the Commonwealth concerned with various phases of a regional program. These include the Connecticut River Valley Flood Control Commission,<sup>65</sup> the Commission on Interstate Cooperation,<sup>66</sup> the Merrimack River Valley Flood Control Commission,<sup>67</sup> the New England Board of Higher Education,<sup>68</sup> the New England Interstate Water Pollution Control Commission,<sup>69</sup> the Northeastern Forest Fire Protection Commission,<sup>70</sup> and the Thames River Valley Flood Control Commission.<sup>71</sup>

These public bodies have definite roles in making portions of a New England regional plan operative. In light of the economic situation here, perhaps the moment is at hand for a thorough restudy of New England's needs such as the excellent analysis that was done under the auspices of the New England Council.<sup>72</sup> It was well said some years ago that:

To keep the plan vital and up to date will require the vigorous continuing work of the regional planning agency, as well as all related agencies. Once initiated, the plan is in no way complete and final, but must be constantly or, probably better, periodically revised and added to, and at longer intervals re-done in the light of changing conditions and knowledge. The success of the plan will depend largely on how well it is presented to the public.<sup>73</sup>

Without such a master plan for New England, supported on a six state basis with an established regional planning commission, the myriad problems confronting the region will never be solved. The lack of the broad regional approach will tend to make state, regional, and local planning even more difficult than it presently is.

The area known as Greater Boston, which is measurably larger than the standard metropolitan area established by the Bureau of Census, has come under close scrutiny in recent years by both public and private

agencies.<sup>74</sup> Like so many older core cities, Boston has long been strangled by an archaic street layout that has perpetuated an unfathomable traffic pattern, by its large blighted residential and business districts, and by ever mounting costs of municipal services for both residents and non-residents in the face of large scale out-migration of people and business. The fact remains, however, that the well-being of the suburban areas is largely dependent on the well-being of the central city; for the importance of Boston overshadows that of its periphery as a financial, commercial, cultural, and economic center.

While from time to time a piece-meal approach has been used to study Boston's highway problem, the mass transportation problem, and the waterfront situation, along with a few other matters, a comprehensive program extending beyond the boundaries of the central city that would establish thorough-going regional planning for Greater Boston has not yet been born. The Greater Boston Economic Study Committee has, however, suggested four very pertinent redevelopment projects to provide for a downtown office center, a decorative arts center, an apparel trade center, and a graphic arts center. The Prudential Center, the West End Redevelopment, and the anticipated government center indicate that Boston is advancing in its planning, but the need for metropolitan or regional planning is still in evidence. The core city cannot do it alone!

Regional planning has been suggested as the means for several municipalities to solve their mutual problems by an efficient combination of effort. Cooperation along these lines could lead to the well-balanced physical and economic development and progress of the particular region. The Regional Planning Law,<sup>75</sup> under which such action is possible, declares that its purpose is:

... to permit a city or town to plan jointly with cities or towns to promote with the greatest efficiency and economy the coordinated and orderly development of the areas within their jurisdictions and the general welfare and prosperity of their citizens.<sup>76</sup>

Any group of cities, towns, or cities and towns, by vote of their respective legislative bodies are free to form a regional planning district which by law would be a corporate political entity within the involved area. Prior approval of the Division of Planning, state Department of Commerce, to the effect that the region is suitable for planning purposes is the only other prerequisite.

Ordinarily the stimulus for forming a planning district will be given by the members of a local planning board recognizing the existence of common problems in an area greater than that of their own municipality. Assuming leadership, this board would then call on the planning boards and the chief administrative officers of the cities and towns in the tentative region to meet and discuss the proposal with representatives of the Division of Planning. Should substantial support be given, the meeting would then appoint a study committee which, in addition to preparing a tentative budget, and similar objects, would seek the advice of the Division of Planning as to whether or not the region would be effective for planning purposes.



The legal steps involved are the affirmative actions of a city council and of a special or annual town meeting.

Interestingly enough, the planning boards of the involved municipalities would designate one of their own members to serve on the district planning commission. This equal representation is a noteworthy contribution, for small communities might hesitate in joining with their larger neighbors if a system of proportional representation had been permitted. The annual financing of the district's operation calls for levies from the supporting communities on a proportional basis, subject, however, to the establishment of maximum contributions by each city and town by their individual action.<sup>77</sup>

As in the case of a municipal planning board, the regional planning commission is charged with preparing a master plan for the entire area, and

. . . to make such recommendations for the physical, social and economic improvement of the district as in their opinion will be in the best interests of the district. Such plans and recommendations shall concern, among other things, existing and proposed highways, public places, bridges and tunnels, viaducts, parks, parkways, recreation areas, sites for public buildings and structures, land use areas, building and zoning districts, pier head and bulkhead lines, waterways, routes of railroads, buses and ferries, locations of sewers, water supplies, and conduits, other public utilities and other pertinent features of the district. . . .<sup>78</sup>

One such district that has made considerable headway is the Southeastern Massachusetts Regional Planning District.

From a nucleus of six municipalities in December, 1955, the Regional Planning District has grown to its present membership of 15 cities and towns which include more than three-fourths of the population and over 60 per cent of the area of the Southeastern Massachusetts Planning Region, as delineated by the Division of Planning of the Massachusetts Department of Commerce. Member communities which jointly finance the District's activities by annual appropriations of four cents per capita, presently include the cities of Attleboro, Fall River and New Bedford and the towns of Berkley, Dartmouth, Dighton, Freetown, Mansfield, Marion, Mattapoisett, Norton, Seekonk, Somerset, Swansea and Westport. Eight other communities within the boundaries of the Planning Region are eligible for membership.<sup>79</sup>

While regional planning is a relatively new concept as applied to the intrastate scene there is every good reason to believe that it will come into more common use with the advance of time. Through a regional planning program local planning is encouraged, and the barriers of town and city boundaries become less important when cooperation replaces competition.

While chiefly concerned with housing, a recent statement in support of metropolitan planning could be given serious consideration and evaluation:

Lasting solutions for housing problems will require that we begin to build integrated communities. This means not simply the gradual removal of artificial racial barriers, although this is of course very important. It means also that housing for families in all income groups should be built in all sections of the community. Most important, it means that neither replanning

and rebuilding of the interior of our metropolitan areas nor the new development of outlying suburbs will be permitted to be stifled by obsolete and outdated physical boundary lines.

If we are to develop an effective attack on housing and urban redevelopment problems, we must realize that metropolitan areas are communities and must be treated as communities. This will require coordinated metropolitan planning. Every possible encouragement should be given therefore to the development of cooperative metropolitan area planning to facilitate balanced growth of metropolitan areas.<sup>80</sup>

# Chapter VIII

## CONCLUSION

The preceding pages indicate a few of the many elements that comprise a municipal planning program. As perhaps at no prior time, public officials today are heavily burdened with the complexities of government, and often find it difficult to gain the needed time to study the extensive interlockings that occur in everyday life; yet this is the task of our planners, and it need be undertaken with both zeal and patience if our several communities are to prosper.

Alone, a planning board will never attain sufficient knowledge and experience to achieve all goals, but through congenial relationships with companion government agencies and citizen groups a high degree of success will be achieved. Thus, a spirit of cooperation linked with farsightedness on the part of the planners is an important consideration for effective planning. It ought to be recalled from time to time that the cost of not planning may be measured by the complete deterioration of a community or a region.

No public can afford to be indifferent, and it may well be that a municipality's planners will have as their chief consideration—the education of the people to destroy this unconcern. The responsibilities of citizens are not limited to the casting of the ballot at elections and the prompt payment of taxes; they extend far beyond those matters in a democracy, and include active participation in their government as well as watchfulness over it.

While some years ago it was said by a thoughtful Englishman that “Americans have a sort of permanent intoxication from within, a sort of invisible champagne,” there is much evidence today that langour has all but stifled the bubbles as we observe so many persons side-stepping the opportunity to serve their communities.

Planners are in an excellent position to save considerable portions of the taxpayers' dollars by prevention of errors in public works alone. As these men present and evaluate the problems confronting their communities, they serve to make it a better place in which to work, live, and play; for it is self-evident that a well planned municipality contributes to the good life that we all seek so earnestly. Orderly planning guides purposeful spending, destroys blight, furthers economic development, and promotes the general welfare. These factors alone ought to be sufficient to galvanize public support and to destroy apathy if the avenues of popular information are carefully used.

While often outside their immediate province, planning boards may quicken interest in the adoption of building and housing codes as valuable adjuncts to good planning. Housing codes<sup>41</sup> are a means of preventing future shum development through the control of sub-standard housing, and the “future” is assuredly within the planning domain.

Municipal planning with civic participation can achieve more good for a community than any man can catalog; for when the energies of the many are directed in productive channels enterprising human in-

telligence will secure the answers to the problems besetting the locality. Bear in mind however that "what is good and what isn't good for the town in the short term and the long term is a very delicate proposition and ought to be handled . . . by a cautious conversational method rather than (by) a lot of loud steam."<sup>82</sup>

# APPENDIX A

## REFERENCES

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- <sup>2</sup> Council of State Governments, *The States and the Metropolitan Problem*, p. 17.
- <sup>3</sup> Elijah Adlow, "Lemuel Shaw and Municipal Corporations," 44 *Massachusetts Law Quarterly* 2, (July, 1959), pp. 53-54.
- <sup>4</sup> *Constitution of Massachusetts, Amendments, Article LX*.
- <sup>5</sup> Acts of 1920, c. 601.
- <sup>6</sup> *Objectives and Basic Procedures of Local Planning*, Massachusetts Department of Commerce, Boston, 1959, p. 1.
- <sup>7</sup> *From the Ground Up*, National Resources Committee, New England Regional Planning Commission, Boston, 1939, p. 26.
- <sup>8</sup> *Urban Planning and Public Opinion*, Bureau of Urban Research, Princeton University, 1942, p. 3.
- <sup>9</sup> General Laws, c. 41, s. 81A.
- <sup>10</sup> General Laws, c. 41, ss. 81B-81J.
- <sup>11</sup> General Laws, c. 41, ss. 81K-81GG.
- <sup>12</sup> *From the Ground Up*, p. 45.
- <sup>13</sup> General Laws, c. 41, s. 81D.
- <sup>14</sup> *Newsletter*, American Society of Planning Officials, February, 1959, p. 1.
- <sup>15</sup> For detailed explanation see: *Local Planning-Objectives and Basic Procedures*, Division of Planning, Massachusetts Department of Commerce, Boston, 1959.
- <sup>16</sup> 629 Fifth Ave., Pelham, N.Y.
- <sup>17</sup> E. B. Wilkins, *Mapping for Planning*, Publication 101, Public Administration Service, Chicago, 1955.
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- <sup>19</sup> *Action for Cities: A Guide for Community Planning*, Public Administration Service, Chicago, 1943, p. 15.
- <sup>20</sup> See particularly: U.S. Bureau of the Census, *Current Population Reports: Population Estimates*, Illustrative Projections of the Population by States, 1960, 1965, and 1970. Series P-25, No. 160, August, 1957; also No. 187, November, 1958. Government Printing Office, Washington.
- <sup>21</sup> Reference 1 above.
- <sup>22</sup> Frank L. Sweetser, *op. cit.*, pp. 12-13.
- <sup>23</sup> D. A. Grossman and M. R. Levin, *Population Trends*. Southeastern Massachusetts Regional Planning District, Fall River, 1958, p. 19.
- <sup>24</sup> *Report*, Needham Future School Needs Committee, October, 1957.
- <sup>25</sup> An excellent example is the Wage Survey of Lawrence, Massachusetts, by the BLS in May, 1959.
- <sup>26</sup> General Laws, c. 40, s. 8A.
- <sup>27</sup> *The City's Role in Economic Development*, ICMA, Report No. 177, October, 1958.
- <sup>28</sup> General Laws, c. 121, ss. 26I-26BBB, and c. 121A.
- <sup>29</sup> *Aids to Your Community*. Government Printing Office, Washington, D.C., 1958, p. 5.
- <sup>30</sup> Public Law 171, Section 2, 81st Congress, First Session.

- <sup>31</sup> An example is the excellent study of Boston: *Community Organization for Citizen Participation in Urban Renewal*, Massachusetts Department of Commerce, Boston, 1957.
- <sup>32</sup> *A Program for Public Works Planning*, Government Printing Office, Washington, 1958.
- <sup>33</sup> *Ibid.*
- <sup>34</sup> Full details are available at: Regional Office, HHFA, 346 Broadway, New York 13, New York; also at Division of Planning, Massachusetts Department of Commerce, Boston.
- <sup>35</sup> If the municipal planning board were established under G.L., c. 41, 81A the "master plan" is mandatory; on the other hand, the adoption of an "official map" is permissive in nature, G.L., c. 41, s. 81E. It may be well to consider the cautions offered on the "official map" in: Smith, L. H. and A. McClennen, *Introduction to Planning*, Massachusetts Federation of Planning Boards, Fall River, 1959.
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- <sup>38</sup> General Laws, c. 41, s. 81N.
- <sup>39</sup> Excellent ideas are displayed in: *Suggested Rules and Regulations Governing the Subdivision of Land*, Massachusetts Department of Commerce, Boston, 1959.
- <sup>40</sup> General Laws, c. 41, s. 81Q.
- <sup>41</sup> General Laws, c. 41, s. 81X.
- <sup>42</sup> General Laws, c. 41, s. 81U; additional detailed subdivision information will be found in: Smith, L. H. and A. McClennen, *op. cit.*
- <sup>43</sup> Extensive treatment of this over-all problem is to be found in: *Municipal Finance Administration*, International City Managers Association, Chicago, 1955.
- <sup>44</sup> *Massachusetts Municipal Manual*, 1956, p. 49.
- <sup>45</sup> *Coolidge v. Planning Board of North Andover*, 151 NE2d 51 (1958).
- <sup>46</sup> General Laws, c. 40A, ss. 4, 15.
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- <sup>48</sup> *Bicknell Realty Co. v. Board of Appeals*, 116 NE2d 570 (1953).
- <sup>49</sup> *Euclid v. Ambler Realty Co.*, 272 US 365 (1926).
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- <sup>53</sup> *Forbes v. Woburn*, 27 NE 2d 733.
- <sup>54</sup> See Note 51: *ibid.*, p. 18.
- <sup>55</sup> See General Laws, c. 40A, ss. 4, 13, 14, 15.
- <sup>56</sup> "Zoning in New England," 36 Boston University *Law Review* 3 (Summer, 1956), p. 363.
- <sup>57</sup> Fred W. Fisher, "Trends in Zoning in Massachusetts," *ibid.*, p. 353; also, *Pierce v. Wellesley*, 146 NE 2d 666 (1957).
- <sup>58</sup> "Zoning in New England," *op. cit.*, p. 413.
- <sup>59</sup> Emphasis is on the term "substantial"; see *Falmouth v. Gingrass*, 154 NE 2d 896 (1959).
- <sup>60</sup> General Laws, c. 40A, s. 15.
- <sup>61</sup> *Karies v. Board of Appeal of Cambridge*, 150 NE 2d 278 (1958).
- <sup>62</sup> General Laws, c. 40A, s. 4.
- <sup>63</sup> *Town of Needham v. Winslow Nurseries*, 111 NE 2d 453 (1953).
- <sup>64</sup> See: *Proceedings*, New England Regional Planning Conference, National Resources Planning Board, Regional Office, Boston, 1940.

- <sup>65</sup> Acts of 1951, c. 692; 1958, c. 351.
- <sup>66</sup> General Laws, c. 9, ss. 21-24.
- <sup>67</sup> Acts of 1956, c. 608; 1958, c. 350.
- <sup>68</sup> Acts of 1954, c. 589.
- <sup>69</sup> Acts of 1947, c. 421.
- <sup>70</sup> Acts of 1949, c. 457.
- <sup>71</sup> Acts of 1957, c. 616.
- <sup>72</sup> See: *The Economic State of New England*, New England Council, Boston, 1954 (19 monographs); also, Harris, S. E., *The New England Economy*, Harvard University Press, Cambridge, 1947.
- <sup>73</sup> *Integration of the New England Regional Plan*, National Resources Planning Board, Boston, 1942, p. 11.
- <sup>74</sup> Two examples: The Boston College Seminar Series, and the Greater Boston Economic Study Committee under the aegis of the Committee for Economic Development.
- <sup>75</sup> General Laws, c. 40B.
- <sup>76</sup> General Laws, c. 40B, s. 2.
- <sup>77</sup> General Laws, c. 40B, ss. 4, 7.
- <sup>78</sup> General Laws, c. 40B, s. 5.
- <sup>79</sup> D. A. Grossinan and M. R. Levin, *Employment and Economic Trends in Southeastern Massachusetts, 1950-1970*, Southeastern Massachusetts Regional Planning District, Fall River, 1959, p. i.
- <sup>80</sup> "Good Homes for All," 4 *Labor's Economic Review* 9 (September, 1959), AFL-CIO, Washington, D.C., p. 56.
- <sup>81</sup> See *Model Building Ordinance*, Board of Standards, Massachusetts Department of Public Safety.
- <sup>82</sup> L. H. Smith and A. McClennen, *op. cit.*, p. 14.

# APPENDIX B

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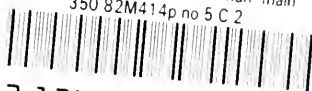
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# APPENDIX C

## NON-AGRICULTURAL EMPLOYMENT CATEGORIES

### MANUFACTURING

#### Durable Goods

- Ordnance
- Lumber and Wood Products
- Furniture and Fixtures
- Stone, Clay and Glass
- Primary Metal Industries
- Fabricated Metals
  - Cutlery, Hand Tools and Hardware
  - Other Fabricated Metals
- Machinery (Except Electrical)
  - Metalworking Machinery
  - Special Industrial Machinery
  - Other Machinery
- Electrical Machinery
  - Communication Equipment
  - Electronic Components
  - Other Electrical Machinery
- Transportation Equipment
- Instruments

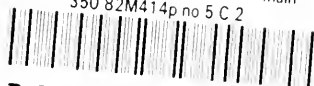
#### Nondurable Goods

- Food
- Textiles
  - Broad Woven—Cotton and Man-made Fibers
  - Broad Woven—Wool
  - Other Textiles
- Apparel
  - Mens, Youths and Boys Clothing
  - Women's, Misses, Children's Clothing
  - Other Apparel
- Paper
- Printing
- Chemicals
- Rubber and Miscellaneous Plastic Products
- Leather
  - Leather Tanning and Finishing
  - Footwear (except Rubber)
  - Other Leather
- Miscellaneous Manufacturing

### NONMANUFACTURING

- Contract Construction
- Transportation and Public Utilities
- Trade, Wholesale and Retail
- Finance, Insurance and Real Estate
- Service, Miscellaneous and Mining
- Government
  - Federal
  - State and Local

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